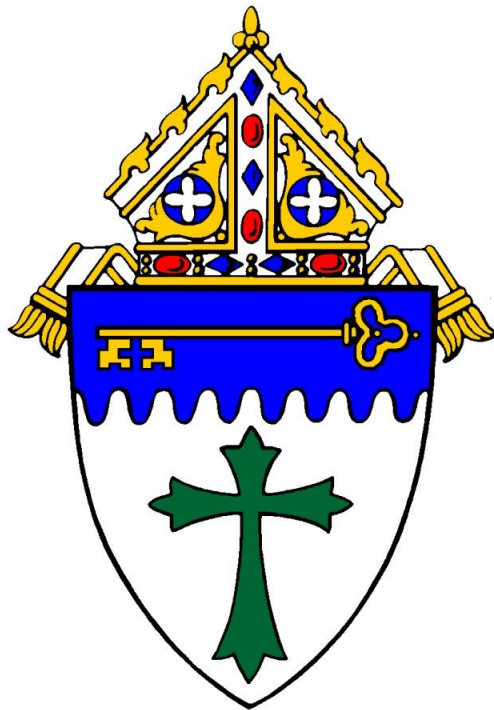


# Policy for the Protection of Children



**The Roman Catholic  
Diocese of Erie**

*Revised June 2016*

## Policy for the Protection of Children

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# POLICY FOR THE PROTECTION OF CHILDREN

## INTRODUCTION

In the *Charter for the Protection of Children and Young People*, the United States Conference of Catholic Bishops reminds us that Jesus extended his care in a tender and urgent way to children. He rebuked his disciples for keeping them away from him: “Let the children come to me” (Mt 19:14). Jesus also uttered a grave warning about anyone who would lead the little ones astray (Mt 18:6). Mindful of these words of the Lord, it is with compassion and care that the Diocese of Erie addresses the issue of child abuse.

Parents and guardians desire that their children experience healthy relationships with their peers and with adults. The role/responsibility of parents in nurturing and protecting their children is underscored in official Church teaching (for an excellent summary see the 1994 *Catechism of the Catholic Church*, n. 2221-2228). Parents and guardians have good reason to expect that others who care for their children do so in a professional and healthy manner. The Diocese of Erie shares these concerns and wants to ensure that all of its programs and activities for children are conducted in a safe environment.

Whether as employees or volunteers, adults who teach, direct, counsel, or coach children must hold themselves to the standards referred to in this Policy. These standards will help insure that trusting relationships work toward growth and maturity of the child in the Catholic faith community. This applies to every clergy, lay, and religious employee or volunteer who is responsible for nurturing and protecting the children entrusted to their care.

The Policy for the Protection of Children of the Diocese of Erie as set forth in these pages is revised yearly to better provide for the welfare of children who are served by the various parishes, schools, institutions, agencies, departments and programs of the Diocese. Required procedures are established to prevent child abuse and to respond in those instances when child abuse is discovered or reasonably suspected.

The main safeguards required by this Policy are the screening of personnel; the training of personnel with regard to safe environment practices and awareness of signs of child abuse; and the reporting of child abuse in compliance with the Child Protective Services Law of the Commonwealth of Pennsylvania. All of these safeguards are intended to assist Personnel in their responsibility to provide children with the greatest care. The Diocese of Erie is committed to the application of these safeguards, including compliance with state regulations.

Everyone in the Diocese of Erie who is involved in the care of children should become familiar with this Policy. For further information, please contact the Office for Protection of Children and Youth of the Diocese of Erie (814-824-1195) or visit the website <http://www.eriecd.org/protectyouth.htm>

## I. DEFINITIONS

### A. PERSONNEL

- **EMPLOYEES:** All clergy, lay and religious employed by or serving in the Diocese, its parishes, schools, sponsored agencies and institutions who are paid on a full time, part time or stipend basis and have direct contact with children.
- **REGULAR VOLUNTEERS:** adults who perform a church/school related service in which they have direct volunteer contact with children on an unpaid full or part time basis.
- **OCCASIONAL VOLUNTEERS:** adults who perform a church/school related service for children/youth on an irregular basis.

**B. DIRECT CONTACT** is defined in the PA Child Protective Services Law as “the care, supervision, guidance or control of children or routine interaction with children.”

**C. DIRECT VOLUNTEER CONTACT** is defined in the PA Child Protective Services Law as “the care, supervision, guidance or control of children and routine interaction with children.”

**D. VOLUNTEER ROUTINE INTERACTION:** Regular and repeated contact with children that is integral to a person’s volunteer responsibilities.

**E. IMMEDIATE VICINITY** is defined to mean an area in which an individual is physically present with a child and can see, hear, direct and assess the activities of the child.

**F. CHILD/MINOR** is defined as a person under the age of eighteen and/or an adult who is physically or cognitively impaired and unable to protect themselves.

**G. ADULT** is defined as any person eighteen years of age or older.

### H. CHILD ABUSE

According to Pennsylvania State law, an abused or neglected child is any child whose parents or other persons responsible for his/her care:

- cause or threaten to cause a non-accidental physical or mental injury,
- neglect or refuse to provide adequate food, clothing, shelter, emotional nurturing or health care,
- abandon the child,
- neglect or refuse to provide adequate supervision in relation to a child’s age and level of development,
- commit or allow to be committed any sexual act upon a child, including incest, rape, indecent exposure, prostitution or allow a child to be used in any sexually explicit visual material,

- acquire, possess or distribute pornographic images of minors for the purpose of sexual gratification by whatever means or using whatever technology,
- create an imminent risk of serious physical injury, sexual abuse or sexual exploitation of a child because of any recent act or failure to act.

I. **CHILDLINE** is the Pennsylvania hotline for reporting Child Abuse. Call **1-800-932-0313** 24 hours a day to report suspected child abuse:

## II. CODE OF CONDUCT

To share in the ministry of Christ is a great privilege as well as a tremendous responsibility. The privilege is the joy of sharing in the mission of Jesus Himself. The responsibility is acting in a way that conforms to the attitude and actions of Christ. As is evident in the Gospels, Jesus had a deep, abiding respect for each human being and never did anything that harmed or misled people in their personal or spiritual life.

The public needs to know that the Church is committed to protecting the children/youth who are entrusted to its care and to ensuring that those offering services are in right relationship with the children/youth receiving services.

There is a challenge in the Scriptures to “live in a manner worthy of the call you have received, with all humility and gentleness, with patience, bearing with one another through love, striving to preserve the unity of the Spirit through the bond of peace.” (Ephesians 4:1-3).

In this spirit, Personnel

- are expected to represent the Church in a faithful, authentic and loving way, supporting the teachings, disciplines and tradition of the Catholic Church;
- will exhibit the highest Catholic ethical standards and personal integrity in their day-to-day work and personal lives;
- will conduct themselves in a professional manner in both church and work environments, avoiding any flagrant or public misconduct;
- will hold one another accountable to conduct and standards appropriate to their respective roles;
- will foster the dignity of each person and be committed to the best interests of others;
- will respect the integrity of all individuals and protect the confidentiality of all information to which they have access;

- will not take advantage of any relationship with a child/youth for their own benefit;
- will not physically, sexually or emotionally abuse any person, including the acquisition, possession or distribution of pornographic images of minors by whatever means or using whatever technology;
- will not neglect a child who is in their care.

### III. PREVENTION OF CHILD ABUSE

#### III A. Screening of Personnel

##### 1. Parish Personnel

- a. **Employees:** prior to working with children/youth in any program, all parish employees must have or can demonstrate that they have initiated the process for:
- a signed *Statement of Intent for Compliance* (see Article X) indicating the person has received, read and agrees to conform to the Diocesan *Policy for the Protection of Children*.
  - the PA State Police Criminal Record Check (every five years)
  - the PA Department of Human Services Child Abuse History Certification (every five years)
  - the Federal Criminal Record Check - includes fingerprinting (every five years)
  - a completed diocesan *Application for Adults Working with Children and Youth*
  - Signed diocesan *Mandated Reporter Compliance Document (every year)*

Any person who obtains clearances may transfer or provide services during the length of time the person's clearances are current.

The process for required clearances must be underway before commencing work with children. Any employee not completing all of the above requirements within 30 days of commencing work with children/youth will be prohibited from continuing to work with children/youth until requirements are complete. During this 30 day period, the employee must work in the immediate vicinity of a cleared and in-serviced adult when with children/youth.

- b. **Volunteers**
- Any person who obtained their clearances within the previous 60 months may serve in a volunteer capacity for any program, activity or service.
  - Volunteers who reside in Pennsylvania do **NOT** have a provisional period and must obtain clearances before working with children.
  - Individuals who reside in another state may serve as a volunteer for no more than 30 days as long as they provide clearances from their state of residence.

Within the 30 days, they must obtain clearances from Pennsylvania as described above.

1. **Regular Volunteers:** Prior to working with children/youth in any program, all regular volunteers must have
  - a signed *Statement of Intent for Compliance* (see Article X) indicating the person has received, read and agrees to conform to the *Diocesan Policy for the Protection of Children*.
  - the PA State Police Criminal Record Check (every five years)
  - the PA Department of Human Services Child Abuse History Certification (every five years)
  - the Federal Criminal Record Check (includes fingerprinting) - only required for any volunteer who has not been a continuous resident of Pennsylvania for ten years
  - a completed diocesan *Application for Adults Working with Children and Youth*
  - Signed diocesan *Mandated Reporter Compliance Document* (every year)
  
2. **Occasional Volunteers:** prior to working with children/youth in any program, occasional volunteers must have
  - the PA State Police Criminal Record Check (every five years)
  - the PA Department of Human Services Child Abuse History Certification (every five years)
  - a signed diocesan *Mandated Reporter Compliance Document* form (once a year)
  - a signed diocesan Occasional Volunteer Conduct Form(once a year)
  - their names listed on either the diocesan Occasional Volunteer List or a Sign In/Sign Out sheet whenever they work with children.

## 2. School Personnel

- a. **Employees:** prior to working with children/youth, all school employees must have or can demonstrate that they have initiated the process for:
  - a signed *Statement of Intent for Compliance* (see Article X)
  - the PA State Police Criminal Record Check (every five years)
  - the PA Department of Human Services Child Abuse History Certification (every five years)
  - the Federal Criminal Record Check - includes fingerprinting (every five years)
  - State Mandated Reporter Training (every five years)
  - Signed diocesan *Mandated Reporter Compliance Document* (every year)
  - Completed Arrest/Conviction Form
  - Sexual Misconduct/Abuse Disclosure Release Form(s) [Act 168]
  - for teachers, a complete personnel file (including the diocesan *School Educator Employment Application* and references)

- for employees other than teachers, a completed diocesan *Application for Adults Working with Children and Youth*, i.e., secretary, maintenance and cafeteria personnel, athletics personnel, etc.

Any person who obtains clearances may transfer or provide services during the length of time the person's clearances are current.

The process for required clearances must be underway before commencing work with children. Any employee not completing all of the above requirements within 30 days of commencing work with children/youth will be prohibited from continuing to work with children/youth until requirements are complete. During this 30 day period, the employee must work in the immediate vicinity of a cleared and in-serviced adult when with children/youth.

If an employee is arrested for or convicted of any of the disqualifying offenses listed in §111(e) of the Public School Code subsequent to the effective date of PA Act 2011-24 (September 28, 2011), that employee will be obligated to disclose that arrest or conviction to her or his employer.

If an employer has reasonable cause to believe that a current employee has been arrested for or convicted of one of the disqualifying offenses, but the employee has not disclosed that information, the employer may, at the employer's expense, require the employee to obtain and present all of the required background check clearances as a condition of continued employment.

**b. Volunteers**

- Any person who obtained their clearances within the previous 60 months may serve in a volunteer capacity for any program, activity or service.
- Volunteers who reside in Pennsylvania do **NOT** have a provisional period and must obtain clearances before working with children.
- Individuals who reside in another state may serve as a volunteer for no more than 30 days as long as they provide clearances from their state of residence. Within the 30 days, they must obtain clearances from Pennsylvania as described above.

**1. Regular Volunteers:** Prior to working with children/youth in any school, all volunteers must have

- a signed *Statement of Intent for Compliance* (see Article X),
- a completed diocesan *Application for Adults Working with Children and Youth*
- the PA State Police Criminal Record Check (every five years)
- the PA Department of Human Services Child Abuse History Certification (every five years)
- State Mandated Reporter Training (every five years)
- Signed diocesan *Mandated Reporter Compliance Document* (every year)
- the Federal Criminal Record Check (includes fingerprinting) only required for any volunteer who has not been a continuous resident of Pennsylvania for ten years



2. **Occasional Volunteers:** prior to working with children/youth in any school, occasional volunteers must have
- the PA State Police Criminal Record Check (every five years)
  - the PA Department of Human Services Child Abuse History Certification (every five years)
  - a signed diocesan *Mandated Reporter Compliance Document* form (once a year)
  - a signed diocesan Occasional Volunteer Conduct Form(once a year)
  - their names listed on either the diocesan Occasional Volunteer List or a Sign In/Sign Out sheet whenever they work with children.

### 3. Supervisory Procedures

- a. Supervising personnel should know their volunteers and screen them adequately. It is required that youth workers be known to the community for at least six months before entrusting them with the care of children.
- b. Documentation for all compliance issues related to *screening* will be maintained by supervising personnel in a secure, locked file in the parish, school, agency or institution. Each person will have their own personnel file and files should be kept alphabetically so all documentation on a particular individual can be located in an efficient manner if necessary. These records must be kept indefinitely.
- c. Written verification of completed clearances for contracted employees who perform a regular service (e.g., bus service, cafeteria service) is the responsibility of the contractor. This written verification will be maintained in a secure locked file in the parish, school, agency or institution.
- d. Results of Federal Criminal Record checks are not permitted to be kept on site in the schools. All Federal Criminal Record reports for school employees are maintained in the office of the director of Catholic Schools and School Personnel. In the parish, the Pastor is responsible to ensure the security of the Federal Criminal Record reports.
- e. The employer, administrator, supervisor or other person responsible for employment decisions or acceptance of the individual to serve in any capacity requiring clearances shall maintain copies of the required information and require the individual to produce the original documents prior to employment or acceptance to serve in any such capacity.
- f. An employer, administrator, supervisor or other person responsible for selection of employees/volunteers that intentionally fails to require an applicant to submit the required clearance before the applicant's hiring/service commits a misdemeanor of the

third degree. Child Abuse clearance information is confidential and may not be released to other individuals.

- g. It is prohibited to hire a person or place a volunteer in a position working with children or youth who is a perpetrator of a founded case of child abuse or is listed in the central register. Pastors should be exceptionally judicious in making decisions regarding such persons' participation in the public ministerial life of the parish, such as serving as lectors, Eucharistic ministers, ministers of hospitality or cantors.

### **III B. Training of Personnel, Children/Youth & Parents**

#### **1. Personnel**

- a. All diocesan employees and regular volunteers, including clergy, are expected to complete the online diocesan in-service program, *Creating a Safe Environment*, in accord with current diocesan regulations. This in-service shall be completed every five years.
- b. A certificate of completion for the diocesan in-service program will be maintained by supervising personnel in a secure, locked file in the parish, school, agency or institution. Each person will have their own personnel file and records should be kept alphabetically so all documentation on a particular individual can be located in an efficient manner if necessary. These records must be kept indefinitely.
- c. It is not necessary for independently contracted employees, e.g., cafeteria or bus service, to complete the diocesan in-service.

#### **2. Children/Youth & Parents**

- a. Training programs for children and young people will be conducted annually and include age-appropriate materials pertaining to personal safety and healthy relationships.
- b. Information regarding child abuse and safe environment will be provided to parents and guardians annually.
- c. Documentation that in-service programs have been completed will be maintained by supervising personnel in a secure file in the parish, school, agency or institution. These records must be kept indefinitely. It is not necessary to maintain separate files for each student for child protection documentation purposes.

### III C. Guidelines for Working with Children and Youth

1. Consent must be obtained from the parent or guardian for children to participate in any extra-curricular activities sponsored by the diocese, parish, school, agency or institution. Such permission must include instructions for emergency care should that become necessary.
2. At least two adults must be present for any extra-curricular activity or program sponsored by the diocese, parish, school, agency or institution. These adults must have all required documentation on file before the event. This includes both on-site and off-site events. It is preferable if one or more of the adults are parents or guardians of the participants. Care should always be taken to ensure an appropriate ratio of adults to young people.
3. There must be at least two adults accompanying children/youth on any overnight trips. These adults must be cleared, in-serviced and have all required documentation on file before the trip. Care should always be taken to ensure an appropriate ratio of adults to young people. If both male and female youth are present, male and female adult leadership is required. Care needs to be taken that there is a safe environment provided for sleeping, showering, bathing, dressing and all other aspects of being away for a period of time. Adults must always respect the privacy of youth. Adults must likewise respect their own privacy.
4. When staying in a hotel-style room or camping, it is never appropriate for an adult, other than a parent or legal guardian, to share a bed or room alone with a young person.
5. Persons transporting children to or from events must be known to the leader of the event. The driver must
  - be at least 21 years old
  - complete the PA State Police Criminal Record Check and the Child Abuse History Certification
  - complete the diocesan *Volunteer Driving Information Sheet*, documenting the following:
    - no record of convictions for the past five years for DUI, driving with a suspended or revoked license or reckless endangerment
    - have proof of insurance
    - a valid state driver's license qualified for the vehicle being operated
6. Adults other than a parent or legal guardian transporting their own child should never transport one child alone. An exception would be when the safety of the child would be compromised; for example, leaving the child with no ride home after attempts had been made to reach the parents/legal guardian.
7. During the time adults are responsible for the oversight/chaperoning of youth during day activities or overnight trips, they are never permitted to provide for youth, or use

themselves, alcohol and/or cigarettes, audiovisual material, music, or other materials unsuitable for youth.

8. A “buddy system” of a young person with another young person on trips is recommended as a good safety strategy.
9. Employees or volunteers are never to give gifts to individual children without the prior knowledge of the parents. Since gift giving can be a form of buying loyalty or silence, it should be done on a group basis or for special occasions only.
10. Adult supervisors and others must show discretion before touching another person, for often physical touch can be misinterpreted. Age, gender, race, ethnic background, emotional condition, prior experience and present life situations all affect how touching is received and interpreted. Physical contact with youth should occur only when appropriate and should never occur in private.
11. When sacramental preparation programs or other youth gatherings are regularly held in private homes, the adult screening and training standards as stipulated in Section IIIA and Section IIIB will apply to all adults in residence at the home.
12. If children/youth visiting from out of town, such as youth choirs and sports teams need to be housed in private homes, all adult residents of the home must obtain the clearances required of volunteers before the children are housed.

#### **IV. COUNSELING AND SPIRITUAL DIRECTION OF CHILDREN/YOUTH**

- A. Counselors who are licensed professionals and spiritual directors and hold recognized credentials bear full responsibility for establishing and maintaining clear and appropriate boundaries in accord with their professional standards.
- B. With the exception of those mentioned in statement A. above, all others providing counseling or spiritual direction and meeting alone with children/youth should utilize the following precautions:
  - the door to the meeting room must be left open and/or allow for visibility from the outside
  - barring emergencies, another adult must be informed of the meeting and be nearby
- C. Counseling and spiritual direction of children/youth should be done in an appropriate setting and at an appropriate time. *Private* living quarters are never a suitable place for counseling or spiritual direction.

## V. RESPONSE TO CHILD ABUSE

### A. Persons Who Must Report Abuse

According to state law, the mandate to report child abuse is imposed on any individual who comes into contact with children in the course of his or her work or professional practice. Voluntary personnel who perform services for the Church/school are also considered mandated reporters if they come into contact with children during the course of their volunteer Church/school work.

The privileged communication between a professional person and his/her client does not apply to situations involving child abuse and does not constitute a legitimate reason for failure to report. Clergy are not permitted by Church law to report information received privately during sacramental confession. In addition, according to Pennsylvania state law, the following provision applies to priests and deacons:

No clergyman, priest, rabbi or minister of the gospel of any regularly established church or religious organization, except clergymen or ministers, who are self-ordained or who are members of religious organizations in which members other than the leader thereof are deemed clergymen or ministers, who while in the course of his duties has acquired information from any person secretly and in confidence shall be compelled, or allowed without consent of such person, to disclose that information in any legal proceeding, trial or investigation before any government unit.  
42 Pa. C.S. § 5943

These mandates are criminally enforceable under Pennsylvania law. Legal immunity is granted to any individual who, in good faith, makes a report of suspected child abuse, even if he/she was not under a legal obligation to do so.

### B. Incidents to be Reported

Alleged past or present physical abuse, sexual abuse or neglect of a child will be reported, regardless of where the incident occurred. Child abuse disclosed directly to a mandated reporter must be reported to the proper authorities. In addition, any “reasonable suspicion” of child abuse by a mandated reporter must also be reported. In other words, a child need not personally report the abuse to the mandated reporter in order to trigger the mandate to report. The abused child must be under the care, supervision, guidance or training of the agency, institution, organization or other entity with which that person is affiliated for them to be considered a mandated reporter.

The mandate to report applies to all child abuse, not just abuse that has been perpetrated by Church personnel. Possible abusers could include for example, parents, relatives, older siblings, neighbors, youth group or sports leaders, family friends and other children.

When the incident of abuse of a minor by a cleric occurred in the past and the victim is an adult when the information is received, a report is to be filed with public authorities even though the person is no longer a minor (Charter, Article 4, Essential Norms, 11). The

reporting adult should be encouraged to contact the Victim Assistance Coordinator of the diocese.

It is recommended to Church personnel that any doubt concerning the application or interpretation of these provisions should be resolved in *favor of reporting*. The civil authorities will determine the particulars and take appropriate action. **NO INVESTIGATION WILL BE CARRIED OUT BY A MANDATED REPORTER.**

C. Other Persons Who Can Report Abuse

Any person may make a report of child abuse. The report is made when abuse is actually disclosed by the child or a person has reasonable cause to suspect that a child is abused. Reasonable suspicion, not proof, is needed.

D. General Procedures for Reporting

A mandated reporter is obligated to make a direct, immediate report of the suspected abuse to the PA Department of Human Services Child Line. The toll free number is **1-800-932-0313**.

They are also to notify the person in charge. The person in charge must thereafter assume the responsibility to assure the cooperation of the institution in any resulting investigation. In the event of likely imminent danger to the child, local police should also be contacted. A written report is to be made within 48 hours and sent to the Child Protective Services agency in the county in which the abuse occurred. A copy of the Department of Human Services form for making a written report can be obtained at <http://www.eriecd.org/pdf/cy47.pdf>

In addition to these General Procedures, please refer to the Specific Reporting procedures that follow.

E. Specific Procedures for Reporting by School Personnel

If the perpetrator of abuse is an individual who works in the school, employees are subject to additional reporting procedures.

1. If the abuse is perpetrated by a fellow school employee:

- a. School employees are required to report abuse immediately and directly to local law enforcement officials, the District Attorney, ChildLine, the local county Child Protective Services agency and the Principal/Administrator if they suspect that a student has been abused by a fellow school employee. The Principal or Principal/Administrator is then required to immediately notify the Pastor (if a parish school) and the Vicar for Education or the diocesan Director of Catholic Schools and School Personnel that a report has been made.
- b. If the suspected perpetrator is the Principal/Administrator, the school employee is likewise required to directly and immediately report the suspected abuse to local law enforcement officials, the District Attorney, Childline and the local county Youth Protective Services agency. In addition, the school employee must notify the Pastor (if a parish school) and the Vicar for Education or the diocesan Director of Catholic Schools and School Personnel that a report has been made.

- c. Reports by school employees regarding abuse by fellow employees are to include:

- The name, age, address and school of the student.
- The name and address of the student's parent or guardian.
- The name and address of the school administrator.
- The name, work and home address of the perpetrator.
- The nature of the alleged offense.
- Any specific comments or observations that are directly related to the alleged incident and the individuals involved.

A copy of the Department of Human Services form for making a written report can be obtained at <http://www.eriecd.org/pdf/cy47d.pdf>

2. If the abuse is perpetrated by a person other than a school employee:
  - a. Follow general reporting procedures in Section V- D above.
  - b. In addition, the Principal/Administrator must notify the Pastor (if a parish school) and the Vicar for Education or the Diocesan Director of Schools that a report has been made.

F. Specific Procedures for Reporting by Parish Religious Education / Youth Ministry Personnel

1. Follow general reporting procedures in Section V- D above.
2. In addition, the Religious Education/Youth Leader must notify the Pastor and the diocesan Director of Religious Education or the diocesan Director of Youth and Young Adult Ministry that a report has been made.

G. Reporting in an Agency or Institutional Program

1. Follow general reporting procedures in Section V-D above.
2. In addition, the Supervisor must notify the Vicar General that a report has been made.

H. Civil and Canonical Investigations

In allegations of sexual abuse of a minor, the diocese will comply with all applicable civil laws and cooperate in the investigation in accord with the law of the jurisdiction in question. The alleged perpetrator (whether priest, deacon, religious or layperson employed by or volunteering in the Diocese of Erie) will be placed on leave of absence until the case is completed. The diocesan investigation and any disciplinary action will be carried out in accord with civil and Church law and the applicable Personnel policies.

If the alleged perpetrator is a priest or deacon, the Diocesan Bishop will follow the procedures as defined in the *USCCB Essential Norms for Diocesan/Eparchial Policies Dealing with Allegations of Sexual Abuse of Minors by Priests or Deacons*.

## VI. CONFIDENTIALITY

Any communication regarding a child abuse case must be limited to the proper reporting authorities until such time as a clear determination of the allegation has been made.

## VII. PASTORAL CARE

The Diocese of Erie takes seriously its responsibility for pastoral care for the victim, the accused and the parish/diocesan community. The *Victim Assistance Coordinator*, a professional lay person, is available to victims and their families to provide immediate assistance and to coordinate whatever range of pastoral care is deemed necessary. The name and contact information of the current Victim Assistance Coordinator can be found at <http://www.eriescd.org/protectyouth.htm>

## VIII. ADDITIONAL RESOURCES AND FORMS

Additional information, resources and all diocesan forms required for compliance with these policies for child protection can be found at <http://www.eriescd.org/protectyouth.htm> or go to [www.eriescd.org](http://www.eriescd.org) and from the list on the left side of the page, click on “For the Protection of Children.”

## IX. CONCLUSION

The purpose of this policy is to ensure a safe environment for all children who are served by the Diocese of Erie. By articulating a code of behavior through training and education, guidelines for prevention, recognition of child abuse and through a clear procedural response, the Diocese of Erie fortifies that safe environment.

The Most Reverend Lawrence T. Persico, JCL  
Bishop of Erie

Promulgated following the approval of the Diocesan Review Board on  
June 16, 2003

+ Donald W. Trautman, Bishop of Erie

Revised (Introduction; Section IA; Section II; Section IIIA, 1a & 1b, 2a, 2b, & 2c; Section V A, B, D, E, F, G; Section VII; added Section VIII) and promulgated following the approval of the Diocesan Review Board on June 14, 2007

+ Donald W. Trautman, Bishop of Erie

Revised (Section IIIA, 1a & b, 2a, b & c; Section X, Title) and promulgated following the approval of the Diocesan Review Board on July 23, 2009

+ Donald W. Trautman, Bishop of Erie



Revised (Section IIIA, 1a, 2a, 2b; Section VB, VD; Section X) and promulgated following the approval of the Diocesan Review Board on July 1, 2010.

+ Donald W. Trautman, Bishop of Erie

Revised (Section IIIA, 1a, 2a, 2b; Section IIIB, 1a, 1b) and promulgated following the approval of the Diocesan Review Board on July 27, 2011.

+ Donald W. Trautman, Bishop of Erie

Revised (Section IIIC, 2, 11-12) and promulgated following the approval of the Diocesan Review Board on July 16, 2012.

+ Donald W. Trautman, Bishop of Erie

Revised (Section IC; IIIA, 1a,2a,2b, 5; IIIB,1b, 2c; IIIC, 1, 3, 7; VB and VH) and promulgated following the approval of the Diocesan Review Board on July 11, 2013.

+ Lawrence T. Persico, Bishop of Erie

Revised (Section IIIA, 1a,1b, 2a, 2b,2c; Section IIIC, 2; Section V A, B, C, D, E) as required by Pennsylvania state law and promulgated January 23, 2015.

+ Lawrence T. Persico, Bishop of Erie

Extensive revision as required by Pennsylvania state law and promulgated September 11, 2015, following the approval of the Diocesan Review Board on June 10, 2015.

+ Lawrence T. Persico, Bishop of Erie

Amended definition of a Child (IF) and the Code of Conduct(II) to include the issue of pornography, and promulgated June 14, 2016 following the approval of the Diocesan Review Board on June 8, 2016.

+ Lawrence T. Persico, Bishop of Erie

**PLEASE NOTE**

To be completed and signed by Employees and Regular Volunteers **AFTER** policy is read.

**X. STATEMENT OF INTENT FOR COMPLIANCE**

I have read and understand the policy of the Diocese of Erie entitled *For the Protection of Children*. I will comply fully with all the requirements specified in this policy including the procurement of background checks and completion of the online diocesan training session, *Creating a Safe Environment*. My questions (if any) pertaining to the above named policy have been satisfactorily answered.

I also understand that if I do not complete the requirements of the above named policy before commencing work with children/youth, I will be prohibited to work with children/youth until the requirements are complete.

I testify that I have never been convicted of child abuse or a crime involving actual or attempted sexual molestation of a minor. No formal or informal unresolved charge, claim or complaint has ever been made against me that would call into question the advisability of entrusting me with the supervision, guidance and care of children and youth. I affirm that I am not disqualified from service based upon a conviction of an offense under §6344 of the Pennsylvania Child Protection Services Law. (see following)

**LIST OF REPORTABLE OFFENSES**

(1) An offense under one or more of the following provisions of Title 18 of the Pennsylvania Consolidated Statutes:

- Chapter 25 (relating to criminal homicide)
- Section 2702 (relating to aggravated assault)
- Section 2709.1 (relating to stalking)
- Section 2901 (relating to kidnapping)
- Section 2902 (relating to unlawful restraint)
- Section 2910 (relating to luring a child into a motor vehicle or structure)
- Section 3121 (relating to rape)
- Section 3122.1 (relating to statutory sexual assault)
- Section 3123 (relating to involuntary deviate sexual intercourse)
- Section 3124.1 (relating to sexual assault)
- Section 3124.2 (relating to institutional sexual assault)
- Section 3125 (relating to aggravated indecent assault)
- Section 3126 (relating to indecent assault)
- Section 3127 (relating to indecent exposure)
- Section 3129 (relating to sexual intercourse with animal)
- Section 4302 (relating to incest)
- Section 4303 (relating to concealing death of child)
- Section 4304 (relating to endangering welfare of children)
- Section 4305 (relating to dealing in infant children)
- A felony offense under section 5902(b) (relating to prostitution and related offenses)
- Section 5903(c) or (d) (relating to obscene and other sexual materials and performances)

Section 6301(a)(1) (relating to corruption of minors)  
Section 6312 (relating to sexual abuse of children)  
Section 6318 (relating to unlawful contact with minor)  
Section 6319 (relating to solicitation of minors to traffic drugs)  
Section 6320 (relating to sexual exploitation of children)

(2) An offense designated as a felony under the act of April 14, 1972 (P.L. 233, No. 64), known as "The Controlled Substance, Drug, Device and Cosmetic Act."

(3) An offense SIMILAR IN NATURE to those crimes listed above in clauses (1) and (2) under the laws or former laws of:

- the United States; or
- one of its territories or possessions; or
- another state; or
- the District of Columbia; or
- the Commonwealth of Puerto Rico; or
- a foreign nation; or
- under a former law of this Commonwealth.

**A reportable offense enumerated under 24 P.S. §1-111(f.1) consists of any of the following:**

(1) An offense graded as a felony offense of the first, second or third degree, other than one of the offenses enumerated under 24 P.S. §1-111(e), if less than (10) ten years has elapsed from the date of expiration of the sentence for the offense.

(2) An offense graded as a misdemeanor of the first degree, other than one of the offenses enumerated under 24 P.S. §1-111(e), if less than (5) five years has elapsed from the date of expiration of the sentence for the offense.

(3) An offense under 75 Pa.C.S. § 3802(a), (b), (c) or (d)(relating to driving under influence of alcohol or controlled substance) graded as a misdemeanor of the first degree under 75 Pa.C.S. § 3803 (relating to grading), if the person has been previously convicted of such an offense and less than (3) three years has elapsed from the date of expiration of the sentence for the most recent offense.

As testimony of the statements above , I affix my signature below.

Name (printed) \_\_\_\_\_

Signature \_\_\_\_\_

Date: \_\_\_\_\_

This record is to be kept on file in the diocesan office, school, agency or institution where the individual ministers. The record for priests will be kept in the Office of Priest Personnel Office. The record for permanent deacons will be kept in the Permanent Diaconate Office.

**Form revised 9/2015  
Reviewed 6/2016**